

REMARKS/ARGUMENTS

Applicant would like to thank the Examiner for the careful consideration given the present application.

Claims 1–5 and 12–13 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Irube (U.S. Patent No. 6,377,818) in view of Parulski et al. (U.S. Patent No. 5,900,909). For at least the following reasons, the Examiner's rejection is respectfully traversed.

None of the references disclose or suggest “detector means for detecting the orientation of said video telephone apparatus and a rotating means for rotating the orientation of an image in at least either of said transmit picture signal and said receive picture signal based on the detected orientation of the video telephone apparatus and independent of the orientation of a distant party video telephone apparatus,” as recited by claim 1. Similar language is found in claim 12. The Office Action cites Parulski as teaching these elements (Office Action, 09/06/20005, page 3).

Parulski discloses an electronic still camera 10 with an orientation sensor 40 to determine the orientation of the camera. In Parulski, after the user presses the camera shutter button, the image sensor 16 reads out the image, and the orientation of the camera 10 is determined as the image is read out from the image sensor 16 (col. 5, lines 40–45). The Parulski camera rotates the image in the proper direction and then stores the image in a memory card 26 (col. 5, lines 45–47). When the memory card 26 is transferred or connected to a computer 28, the computer 28 reads the image signal from the memory card to display the image (col. 3, lines 41–59).

Although Parulski detects the *orientation of a camera*, Parulski does not disclose or suggest detecting the *orientation of a video telephone apparatus*. Therefore, Parulski fails to disclose or suggest detector means for detecting the orientation of a video telephone apparatus. Since Parulski does not detect the orientation of a video telephone apparatus, Parulski also fails

to disclose or suggest rotating means for rotating the orientation of an image in at least either of said transmit picture signal and said receive picture signal based on the detected orientation of the video telephone apparatus. Therefore, even if combined, the references do not disclose or suggest all the elements of the claimed invention.

Furthermore, there is no suggestion or motivation for one skilled in the art at the time the invention was made to combine Parulski with Irube to arrive at the claimed invention.

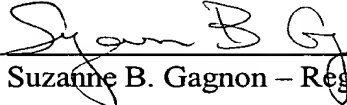
Parulski discloses an electronic still camera 10 with an orientation sensor 40 to determine the orientation of the camera. There is no suggestion or motivation in Parulski of using the electronic still camera with a video communication device. In Irube, a display image is processed in order to match the video display direction of a local video telephone and a second communicating distant video telephone. There is no suggestion or motivation in Irube to use an electronic still camera to take and store pictures on a memory card, which can later be viewed when transferring the memory card or connecting the camera to a computer. Thus, there is no need or motivation to look at or use the Parulski still camera elements in order to modify Irube. Also, no showing in the Office Action has been made of a suggestion or motivation in Irube or Parulski to make the proposed modification. Therefore, one skilled in the art would not have combined these references at the relevant time to arrive at the claimed invention. Reconsideration and withdrawal of the rejection, based upon the combination of references is respectfully requested.

In light of the foregoing, it is respectfully submitted that the present application is in a condition for allowance and notice to that effect is hereby requested. If it is determined that the application is not in a condition for allowance, the Examiner is invited to initiate a telephone interview with the undersigned attorney to expedite prosecution of the present application.

Appln. No. 09/807,143
Response dated December 5, 2005
Reply to Office Action dated September 6, 2005

If there are any fees resulting from this communication, please charge the same to our
Deposit Account No. 16-0820, our Order No. 33483.

Respectfully submitted,
PEARNE & GORDON LLP

By: 
Suzanne B. Gagnon – Reg. No. 48,924

1801 East 9th Street
Suite 1200
Cleveland, Ohio 44114-3108
(216) 579-1700

Date: December 5, 2005